IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTIETH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 459 of 1994

Between:

M.Mohan Rao,

S/o.Anjaneyulu, 43 years,

Working as S.I. of Police,

Police Control Room, Nalgonda,

Nalgonda District.

..... PETITIONER

AND

1. The Superintendent of Police,
   Nalgonda District,
   Nalgonda.

2. Deputy Inspector General
   Of Police, Hyderabad Range,
   Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ more particularly in the nature of writ of mandamus directing the respondents to retain and continue the petitioner herein in the category of Sub-Inspector of Police by treating that the petitioner has been promoted to that post on regular basis by holding that the action of the respondents in reverting the petitioner to the post of Head Constable without any substantive grounds and while allowing his juniors to continue as Sub-Inspectors of Police is illegal, arbitrary, unjustified, discriminatory and violative of articles 14 and 16 of the Constitution of India with a direction to the respondents to retain and continue the petitioner as Sub-Inspector of Police as if the impugned orders dated 30-12-1993 were never passed with all consequential benefits.

Counsel for the Petitioner: MR.GOPALA RAO GANDRAKOTA

Counsel for the Respondents: GP FOR HOME

The Court made the following :

ORAL ORDER : (Per Honourable Sri Justice G.Bikshapathy)

The petitioner approached this Court directly without availing the remedy available before the Tribunal. Therefore, the writ petition itself is not maintainable.

2. Accordingly the writ petition is dismissed. However, this order does not preclude the petitioner from challenging the reversion order, if he so chooses, before the appropriate Tribunal. No costs.

(G.BIKSHAPATHY,J)

30th November, 2004.

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Kvr/Prv (B.SESHASAYANA REDDY,J)

To

1. The Superintendent ;of Police,
   Nalgonda District,
   Nalgonda.

2. Deputy Inspector General
   Of Police, Hyderabad Range,
   Hyderabad.

3. Two C.Cs to the GP for Home,

High Court buildings,

High Court of A.P.,

Hyderabad. (O.U.T.)

4. Two C.D. Copies.